

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GBEKE AWALA, :
 :
 Plaintiff, :
 :
 v. : Civ. Action No. 08-316-JJF
 :
 UNITED STATES COURT OF APPEALS: :
 FOR THE 3RD CIRCUIT, et al., :
 :
 Defendants. :
 :

ORDER

WHEREAS, Plaintiff filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee;

WHEREAS, on June 10, 2008, the Court entered an Order denying leave to proceed in forma pauperis because Plaintiff had three prior suits dismissed as frivolous or for failure to state a claim upon which relief may be granted, and the instant Complaint does not allege an imminent threat of physical injury (D.I. 3);

WHEREAS, to date, payment has not been received from Plaintiff;

NOW THEREFORE, IT IS HEREBY ORDERED that Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.

July 30, 2008
DATE

Joseph D. Tamm
UNITED STATES DISTRICT JUDGE